

HOUSE BILL 3356
By Givens

AN ACT to amend Tennessee Code Annotated, Title 37, to enact the "Tennessee Teen Court Program of 1998".

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 37, Chapter 1, is amended by adding the following new part 7:

Section 37-1-701. This part shall be known and may be cited as the "Tennessee Teen Court Program of 1998".

Section 37-1-702. (a) Any juvenile court is authorized to establish a teen court program pursuant to the provisions of this Part. In any jurisdiction where a teen court program is established, a teen charged with a minor offense may receive a deferred judgment, a condition of which is successful participation in the teen court program.

(b) The procedure for determining the eligibility for and imposition of the deferred judgment shall be as follows:

(1) The teen, in the presence of at least one of his or her parents or legal guardian, must enter a plea of guilty to the minor offense charged.

(2) The teen must request to participate in the teen court program, agree to the deferral of further proceedings in the supervising court for a period of six (6) months or until the teen has successfully completed the teen court program, and provide the court with addresses

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for mailing notices to both the teen and his or her parent or legal guardian.

(3) The supervising court must find that the teen will benefit more from participation in the teen court program than from any other sentence that may be imposed.

(4) The supervising court may accept the teen's plea, order that the teen participate in the teen court program, and defer further proceedings in the supervising court for up to six (6) months.

(5) In addition to ordering the teen to participate in the teen court program, the supervising court may enter an order that the teen pay any restitution otherwise authorized by law.

(c) If the supervising court receives a report from the teen court judge that the teen has not successfully completed the teen court program, or if within six (6) months after the entry of the order for deferred judgment the supervising court has not received a report that the teen has successfully completed the teen court program, the court shall schedule a sentencing hearing, send notice to the teen and his or her parent or legal guardian at the addresses given at the time of the order for deferred judgment or any changed address, and at the sentencing hearing impose any other sentence authorized for the offense charged.

(d) If the supervising court receives a report from the teen court judge that the teen has successfully completed the teen court program, the court shall dismiss all charges against the teen. The dismissal shall not constitute a conviction for any purpose.

SECTION 2. For the purpose of a juvenile court establishing a Teen Court Program as authorized by this act, this act shall take effect upon becoming a law, the public welfare

requiring it. For all other purposes, this act shall take effect July 1, 1998, the public welfare requiring it.